

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ANGELA COMERATE O/B/O

K.R.C., A Minor,

Plaintiff,

v.

**NANCY A. BERRYHILL, Acting
Commissioner of Social Security
Administration,**

Defendant.

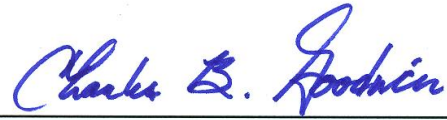
Case No. CIV-16-357-CG

ORDER

On February 13, 2017, the Court entered an Opinion and Order and a Judgment reversing the decision of the Acting Commissioner and remanding this case for further proceedings. *See* Doc. Nos. 24, 25. Plaintiff Angela Comerate now timely requests an award of attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. *See* Pl.'s Mot. Att'y Fees (Doc. No. 26). The parties have jointly notified the Court that they have stipulated to a request of \$4500.00 in EAJA fees in this matter. *See* Stipulation (Doc. No. 27) at 1-2.

Having considered the Motion and the relevant record, the Court GRANTS Plaintiff's request (Doc. No. 26), as modified by the parties' stipulation, and awards fees in the amount of \$4500.00, with said amount to be paid directly to Plaintiff and sent in care of Timothy M. White, 7906 East 55th Street, Tulsa, Oklahoma, 74145. If attorney's fees are also awarded under 42 U.S.C. § 406(b), Plaintiff's counsel shall refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

IT IS SO ORDERED this 27th day of March, 2017.

A handwritten signature in blue ink, reading "Charles B. Goodwin". The signature is written in a cursive style with a large, stylized initial "C".

CHARLES B. GOODWIN
UNITED STATES MAGISTRATE JUDGE